

14A

Notice of Allowability**Application No.**

10/069,279

Applicant(s)

NEVERMANN, PETER

Examiner

Andrew T. Sever

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 20-38.
3. ☒ The drawings filed on 25 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>2/25/2002</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 20-38 are allowed.
2. The following is an examiner's statement of reasons for allowance: Claim 20 of which all other claims are dependent on, claims in combination with other limitations a small scale apparatus which includes an antenna region which is traversed by a light beam generated by a light source and subsequently varied by a motion device. The combination of the projector with the light beam traversing an antenna region inside an apparatus (in the case of an rod antenna as is claimed in claim 33 the antenna is considered to be part of the apparatus) was not found in the prior art. Several prior art references taught apparatus that inherently or explicitly taught antenna in combination with projectors in a single apparatus (see for example US 5,970,418 which teaches in figure 2 a radio phone with a projection display 14, such a phone would inherently include an antenna; also see applicant's cited prior art EP 0 888 005 and EP 0 782 307; US 6,489,934 to Klausner teaches in figure 1 a phone with both a projector and an antenna), however in no instance is there a teaching of the light beam of the projector traversing the region of the antenna. US 5,892,971 to Danielson et al. teaches in figure 6 a small-scale apparatus which includes a radio board (49, which might be considered an antenna region) and a projection means (86), however although the light beam in part 86 is in proximity and travels parallel to the radio board and antenna, it does not traverse (or cut across) the radio board and/or antenna region (the light beam never actually enters a region associated with generating the RF broadcasted by the antenna.) Although in hindsight one of ordinary skill in the art might find it obvious to have it to do so or that it is inherent in those prior art devices which are radio phones in order to

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further reduce the size of the structure; given the lack of an explicit teaching of such a structure it is not obvious to have a beam of light used by the projector transverse the antenna region of the apparatus, since only impermissible hindsight makes such a suggestion. (See applicant's figures 2 and 4, which show the light beam traversing the antenna region note that the beam of light in both cases is actually inside the antenna.) Accordingly claims 20-38 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,032,924 to Brown et al. teaches a compact reflection/scanner based projection system in figure 1.

US 6,323,892 to Mihara teaches a display in figures 1 and 4 that includes an antenna and a light source 3, however there is not motion device and no teaching of a light beam traversing an antenna region inside the apparatus.

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US 6,310,662 to Sunakawa et al. teaches in figure 1 a keyboard (a small-scale apparatus) with a projector, which could be combined with other prior art to be wireless and therefore include an antenna, however such a combination would still not obtain the claimed invention, since there would be no explicit teaching of a light beam traversing an antenna region.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T. Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS


JUDY NGUYEN
SUPERVISORY PATENT EXAMINER